



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :13.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P(MD)No.45 of 2017
and
C.M.P(MD)No.1169 of 2017

R.Kavitha ... Petitioner/Petitioner

Vs.

S.Alagendran ... Respondent/Respondent

Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the H.M.O.P.No.236 of 2016 on the file of Family Court, Tiruchirappalli and to transfer the same to the file of Sub Court, Theni.

For Petitioner : Mr.Gokulraj
For Respondent : Mr.K.P.Narayana Kumar

ORDER

The wife seeks transfer of H.M.O.P.NO.236/2016 on the file of the Family Court, Tiruchirappalli to Sub Court, Theni. It is seen from the records that the wife is residing at Theni and the husband is residing at Trichy.

2.The learned counsel for the respondent would submit that the husband suffers from disability caused due to MYOTONIA WITH PROXIMAL MYOPANTY as well as SHOULDER DISLOCATION. In view of the same, he cannot travel without assistance. Hence, it is extremely difficult for him to travel from Thiruchirappalli to Theni.

3.Considering the rival submissions, I deem it fit to transfer the proceedings in H.M.O.P.No.236/2016 from the file of the Family Court, Trichy to the Sub-Court, Melur, which is in between Tiruchirappalli to Theni. In fine, the proceedings in H.M.O.P.No.236 of 2016 are withdrawn from the file of the Family Court, Trichy and transfer to the Subordinate Court, Melur. The learned Judge, Family Court, Trichy is directed to transmit the records in H.M.O.P.No.236 of 2016 within a period of two weeks from the date of receipt of copy of this order to the Sub-Court, Melur. On receipt of the same, the Subordinate Judge, Mellur is directed to dispose of the H.M.O.P.No.236 of 2016 as expeditiously as possible.



With the above direction, the transfer petition is disposed of. No costs. Consequently, the connected C.M.P is also closed.

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/True Copy/

Sd/-
Assistant Registrar (AS)

Sub Assistant Registrar

To

1. The Judge,
The Family Court, Tiruchirappalli.
2. The Subordinate Judge,
Melur.

+1cc to M/S.K.R.NARAYANA KUMAR, Advocate SR.No.52110

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JM/JC/02.05.2017/2P/4C